



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/973,883	10/10/2001	John R. Hind	RSW920010194US1	7074
25260	7590	11/02/2004	EXAMINER	
MARCIA L. DOUBET P. O. BOX 422859 KISSIMMEE, FL 34742			WOO, ISAAC M	
			ART UNIT	PAPER NUMBER
			2162	

DATE MAILED: 11/02/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/973,883

Applicant(s)

HIND ET AL.

Examiner

Isaac M Woo

Art Unit

2162

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 September 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on September 24, 2004 has been entered.

2. Claims 1, 6-8, 16-18 are amended. Claim 20 is newly added. The pending claims are 1-20.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Mora et al (U.S. Patent No. 6,161,113, hereinafter, "Mora").

With respect to claims 1 and 18-19, Mora discloses, method, system and computer program product for selecting, by a user ("user composed form" means that the form can be done by the user, col. 4, lines 27-60), an element of a rendered representation of an electronic object (displaying documents, fig. 5, document are electronic forms, col. 1, lines 35-44) in a manner consistent with settings defined (tool bar menu, figs. 3-6) to indicate selection of organizing criteria, see (col. 1, lines 46-67 to col. 2, lines 1-20, col. 4, lines 26-60, fig. 2, Project Notebook provides pre-composed or user composed forms, for instance, user composed form, user selects document composing with menu lists for document categories); automatically concluding responsive to the selecting, that the user has indicated that the element is to become a criterion for organizing electronic objects, see (col. 1, lines 46-67 to col. 2, lines 1-20, col. 4, lines 26-60, after the user selects document composing with menu lists for document categories, document categories are viewed in fig. 5); and using the selected element to format a rule that can subsequently be used for organizing stored electronic objects, see (col. 1, lines 46-67 to col. 2, lines 1-21, for instance, documents (stored electronic objects) are located based on pre-determined selection criteria, thus, pre-determined selection criteria is the rule for document criteria, which can be used for organizing electronic objects again).

With respect to claim 2, Mora discloses, defining the setting, see (fig. 3, col. 7, lines 8-22, fig. 6, selection criteria is defined with tool bar menu).

With respect to claim 3, Mora discloses, selecting a word, a phrase, or one or more contiguous characters as the element, see (col. 15, lines 3-6, document forms with text that includes words, text phrases).

With respect to claim 4, Mora discloses, the word phrase, or the characters is/are contained in a text document, see (col. 15, lines 3-6, document forms with text that includes words, text phrases).

With respect to claim 5, Mora discloses, the word phrase, or the characters is/are contained in an email message, see (col. 15, lines 3-6, email message includes words, text phrases).

With respect to claim 6, Mora discloses, selecting a portion of an image as the element, see (col. 1, lines 46-67 to col. 2, lines 1-20, col. 4, lines 26-60, document forms with images).

With respect to claim 7, Mora discloses, selecting one or more words phrases and characters as the element, see (col. 15, lines 3-6, email message includes words, text phrases).

With respect to claim 8, Mora discloses, selecting a portion of one or more images, see (col. 1, lines 46-67 to col. 2, lines 1-20, col. 4, lines 26-60, document forms with images).

With respect to claim 9, Mora discloses, storing the selected element as an organization criterion, see (fig. 2, col. 4, lines 9-25).

With respect to claim 10, Mora discloses, using the selected element to format a rule that can subsequently be used for organizing stored documents, see (col. 1, lines 46-67 to col. 2, lines 1-21, for instance, documents (stored electronic objects) are located based on pre-determined selection criteria, thus, pre-determined selection criteria is the rule for document criteria, which can be used for organizing electronic objects again).

With respect to claim 11, Mora discloses, using a mouse device, see (col. 4, lines 26-60, menu selection can be done by any input device, and the mouse is one of a input/output control device).

With respect to claim 12, Mora discloses, light pen device, see (col. 4, lines 26-60, menu selection can be done by any input device, and the light pen is one of a input/output control device).

With respect to claim 13, Mora discloses, plasma panel device, see (col. 4, lines 26-60, menu selection can be done by any input device, and the plasma panel device is one of a input/output control device).

With respect to claims 14-15, Mora discloses, audio and video mechanism, see (col. 4, lines 26-60).

With respect to claim 16, Mora discloses, the setting specify that an element of a rendered representation of a particular electronic object must be swiped multiple times to indicate selection of that elements, see (col. 4, lines 26-60, col. 1, lines 46-67 to col. 2, lines 1-20).

With respect to claim 17, Mora discloses the selected element is added to organizing criteria of an index, such that the index becomes adaptive to user actions, see (col. 4, lines 26-60, col. 1, lines 46-67 to col. 2, lines 1-20, after the user selects document composing with menu lists for document categories, document categories are viewed).

With respect to claim 20, Mora discloses, using the selected element to format a rule that can subsequently be used for organizing stored documents, see (col. 1, lines 46-67 to col. 2, lines 1-21, for instance, documents (stored electronic objects) are located based on pre-determined selection criteria, thus, pre-determined selection

Art Unit: 2162

criteria is the rule for document criteria, which can be used for organizing electronic objects again).

Conclusion

5. Miller (U.S. Patent No. 6,613,100) discloses the system for displaying miniaturized graphical representations (i.e., thumbnails) of documents for alternative viewing selection by a user. A current document is displayed on a display panel of a graphical user interface (GUI) for viewing and/or manipulation by a user. The GUI further includes a plurality of selection panels that collectively form a border around the current document of the display panel. Disposed on these selection panels are a plurality of thumbnails of other documents that are deemed relevant to the current document by a predetermined, user-defined criterion. Selection of one of these thumbnails conveniently displays the document represented by such thumbnail to be displayed on the display panel in lieu of the current document. Advantageously, documents deemed relevant to a currently displayed document are easily accessible to the user.


Contact Information

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Isaac M Woo whose telephone number is (571) 272-4043. The examiner can normally be reached on 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John E Breene can be reached on (571) 272-4107. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

IMW
October 28, 2004


JEAN M. CORRIELLUS
PRIMARY EXAMINER